IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 12TH JULY 2007 / 21ST ASHADHA 1929

WP(C).No. 8187 of 2007(Y)

PETITIONER:

K.R.RAVINDRAN, S/O.RAGHAVAN NAIR,
AGED 54, RESIDING AT KIZHAKKUMADOM HOUSE,
VENGOLA, MANAGING PARTNER,
SABARI CONSTRUCTION, VENGOLA.

BY ADV. SRI.R.LAKSHMI NARAYAN
SMT.R.RANJINI

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY THE SECRETARY, RURAL DEVELOPMENT DEPARTMENT, TRIVANDRUM.

2. THE SECRETARY, BLOCK PANCHAYATH, BLOCK PANCHAYATH OFFICE, DEVIKULAM.

3. THE ASSISTANT ENGINEER, BLOCK DEVELOPMENT OFFICE, DEVIKULAM.

4. THE ASSISTANT EXECUTIVE ENGINEER, DRDA,IDUKKI.

R1 & R4 BY SR. GOVT. PLEADER SRI. K.J. MOHAMMED ANZAR.
BY ADV. SRI.JANARDHANA KURUP
SRI.K.S.ARUN KUMAR
R2 BY ADV. SRI.SHAYJU N.K.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.8187 of 2007

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Dated this the 12th day of July, 2007

JUDGMENT

Petitioners have approached this court with the following prayers:

> i) issue a writ of mandamus, or any other appropriate writ, order or direction, directing respondents 1 and 2 to make payment of amount of Rs.21,54,236/- to the petitioner, being amount due to the petitioner towards contractors final bill vide Exts. P1 and P2, and pay interest of Rs.21,54,236/- @ 12% per annum from 29.12.2004, as expeditiously as possible, at any rate within a time frame fixed by this Hon'ble court.
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> ii) issue appropriate direction to the respondents 1 and 2 to make payments in respect of Ext.P1 bill amount to Rs.21,54,236/- due to the petitioner, strictly in accordance with seniority of bills pending for payment under respective heads of account and on following the principle 'first done first paid'.

According to the petitioner he has completed the work and payments have not been received. Pursuant to the interim order, as admitted by

both sides, Rs.10.33 Lakhs has been paid to the petitioner on 6.7.2007. counsel for the petitioner points out that nearly Rs.14 Lakhs is remaining to be paid.

2. Learned Government Pleader submits that payments will be made according to seniority within a period of six months.

The writ petition is disposed of directing respondents 2, 3 and 4 to effect payment of the balance amount remaining to be paid to the petitioner in accordance with seniority and as expeditiously as possible, at any rate within a period of six months from the date of production of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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